

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

AISHA PANKEY,

Plaintiff,

v.

LV TOWNSHIP JUSTICE COURT,

Defendant.

2:11-CV-407 JCM (RJJ)

ORDER

Presently before the court is the report and recommendation of Magistrate Judge Robert J. Johnston (doc. #7) regarding plaintiff Aisha Pankey's failure to appear at the show cause hearing scheduled for October 3, 2011. Plaintiff did not file an opposition to the report and recommendation.

In the report and recommendation, Judge Johnston recommends that the case be dismissed with prejudice. (Doc. #7). First, plaintiff failed to file an amended complaint by the deadline, as ordered on May 2, 2011. Plaintiff did not contact the court or file a motion requesting an extension to file the amended complaint.

On August 19, 2011, the court scheduled a hearing requiring plaintiff to appear and show cause why this case should not be dismissed for failure to comply with the court's order regarding the filing of an amended complaint. The order to show cause was served by certified mail. The certified mail letter was returned, as plaintiff had failed to provide a current address. (Doc. #7). Furthermore, plaintiff failed to attend the hearing to show cause.

1 Pursuant to Local Rule IB 3-2, the parties may file specific written objections to the
2 recommendation within fourteen days of receipt. To date, no objections have been filed. The Ninth
3 Circuit has held the failure to file objections within the specified time, and failure to properly address
4 the objectionable issues, waives the right to appeal the district court's order and/or appeal factual
5 issues from the order of the district court. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

6 Upon review of the report and recommendation (doc. #7), and there not being any objections,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that United States Magistrate
8 Judge Robert J. Johnston's recommendation (doc. #7) be, and the same hereby is, AFFIRMED in
9 its entirety.

10 IT IS THEREFORE ORDERED that the above-captioned case be, and the same hereby is,
11 DISMISSED with prejudice.

12 DATED November 2, 2011.

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15 UNITED STATES DISTRICT JUDGE
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